

Plaintiffs' Exhibit 2

1

2 UNITED STATES DISTRICT COURT
3 FOR THE EASTERN DISTRICT OF VIRGINIA
-----X

4 UNITED STATES OF AMERICA, et al.,

5 PLAINTIFF,

6 -against-

7 GOOGLE LLC,

8 DEFENDANT.

9 Civil 1:23-cv-00108
-----X

10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF NEW YORK
-----X

12 In Re Google Digital Advertising Antitrust
13 Litigation

14 1:21-MD-3010 (S.D.N.Y.)
-----X

15 DEPOSITION OF CHRIS LASALA

16 Trumbull, Connecticut

17 Wednesday, August 16, 2023

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19
20
21 Reported by:

22 Rebecca Schaumloffel, RPR, CLR

23 JOB #: 2023-906726

24 TIME: 7:10 a.m. Eastern

1 C. LASALA 2 discuss this deposition with anyone? 3 A. Only my wife. Not the details of 4 it, but that this is what I'm doing for two 5 days. 6 Q. You did not discuss the substance 7 of today's deposition with your wife? 8 A. No. 9 Q. Besides documents provided by your 10 attorney, did you review any documents to 11 prepare for this deposition? 12 A. No. 13 Q. Besides your attorney, have you 14 discussed the United States case against 15 Google with anyone? 16 A. No. 17 Q. Including anyone at Google? 18 A. No. 19 Q. Did you take any other steps to 20 prepare for today's deposition? 21 A. No. 22 Q. I want to turn now, Mr. LaSala, to 23 your employment history without retreading 24 too much ground from the last deposition. 25 At the time of your prior	Page 13 1 C. LASALA 2 know, five to ten, maybe. 3 Q. On average, how many times per 4 year in that role did you meet with 5 advertisers? 6 A. Hardly ever. Maybe never. 7 Q. I think in your prior deposition, 8 Mr. LaSala, you said you probably hadn't 9 spoken to an advertiser in 15 years. 10 Does that still sound accurate? 11 A. Probably, yeah. 12 Q. You and your team were also 13 responsible for taking whatever Google's 14 product teams decide to build and bringing 15 that back to Google's sales team; is that 16 correct? 17 A. That's correct. 18 Q. Are you still in the managing 19 director of global commercialization for 20 publisher advertising products role? 21 A. No, I'm not. 22 Q. And when did you -- when did you 23 leave that role? 24 A. I think officially, left Google on 25 January 15th of -- what is it, '01, '02?
Page 14 1 C. LASALA 2 deposition, October 2020, you were the global 3 product lead or global strategy lead; is that 4 correct? 5 A. Yes. 6 Q. And it looks like, based on your 7 resume that we found, your official title was 8 managing director, global commercialization 9 for publisher advertising products; is that 10 correct? 11 A. Yes. 12 Q. And you held that title for the 13 period of 2013 through 2022? 14 A. I don't recall, but it sounds 15 reasonable. 16 Q. In that role, you and the team you 17 oversaw were responsible for taking feedback 18 from Google sales teams through the 19 go-to-market teams and bringing that to 20 Google's engineering teams and product teams? 21 A. Yes. 22 Q. In that role, how many times, on 23 average, did you meet with publishers each 24 year? 25 A. Less frequently than -- I don't	Page 14 1 C. LASALA 2 '02. About a year and a half ago. 3 Q. Okay. So you left Google in 4 around January 15, 2022? 5 A. I should know this, but it's been 6 that long -- I think it's been that long. It 7 wasn't on LinkedIn. 8 Q. Understood. 9 I think that's good enough, thank 10 you? 11 A. Okay. 12 Q. Why did you leave Google? 13 A. I've always wanted to sort of 14 pivot my career into education and I -- it 15 was just a good opportunity to do so. I 16 thought, you know, if not then -- if not now, 17 when, you know -- in my, you know, 50s, 18 and -- I don't know, COVID. A lot going on 19 and I just thought life is too short. 20 And I have been an adjunct 21 professor at Duke University for five or six 22 years. I was a -- I did some other things 23 with higher education, different schools, and 24 it was just time. It was just time. 25 Q. The opportunity that you just

1 C. LASALA 2 they get access to new inventory. 3 Q. And the team working on GDN 4 determined it was in advertisers' interest to 5 buy inventory outside of AdX, right? 6 A. You'd have to ask them. But 7 presumably, yes. 8 Q. Any reason to doubt that that's 9 accurate? 10 A. No. 11 Q. Not all inventory is available on 12 AdX, right? 13 A. I don't know, but I assume no. 14 Q. In your consideration of sales 15 requests to discount the 20 percent AdX 16 revenue share fee, did you ever consider 17 whether GDN was exclusive to AdX or buying on 18 other exchanges? 19 A. Yeah. Weighing the decision, no. 20 In the decision to -- in those GPX decisions, 21 not that I recall. 22 So, again, the short-term versus 23 long-term discussion. The short-term, it was 24 whatever the sales conversations we were 25 having.	Page 221 1 C. LASALA 2 wanted access to GDN demand -- 3 A. Yes. 4 Q. -- did it have to make its 5 public -- its inventory available via AdX? 6 A. No, not always. 7 Q. Prior to, say, 2015? 8 A. I don't know, in that decision, 9 GDN made. But prior to the decision -- I 10 think, prior to the decision by the GDN team 11 to buy in other exchanges, I think that's 12 true. 13 Q. Okay. And if a publisher wanted 14 access to GDN demand via AdX, it had to pay 15 the 20 percent fee, right? 16 A. They had to pay whatever the 17 negotiated fee was, yes, or 20 percent rate 18 card. 19 Q. Is one of the reasons why Google 20 did not see competitive pressure on AdX's 21 20 percent fee, because publishers had to use 22 AdX to access GDN demand? 23 A. It's possible. But when GDN 24 started buying in other demand sources, it 25 didn't change. Certain market dynamics
Page 222 1 C. LASALA 2 Q. In evaluating a sales request to 3 discount the AdX 20 percent fee, you don't 4 recall any discussions about GDN being 5 exclusive to AdX? 6 A. I don't recall. 7 Q. You don't recall whether those 8 conversations happened or you don't recall 9 ever discussing GDN -- 10 A. I don't recall if the conversation 11 happened. 12 Q. Okay. 13 A. Or if we discussed that. 14 Q. Going back to competitor pressure, 15 you would agree with me that Google did not 16 seek competitive pressure on AdX's prices 17 because if publishers wanted access to GDN 18 demand, they had to pay the 20 percent fee to 19 access that, via AdX? 20 MR. BIAL: Object to form. 21 And you might want to break that 22 up a little bit or slow down. I 23 couldn't follow it either. 24 A. Just repeat the question, please. 25 Q. Sure. Sure. If a publisher	Page 222 1 C. LASALA 2 didn't change. So it's hard to say. 3 I mean, I would have thought that 4 to be the case, and then was proven wrong, 5 essentially. 6 Q. Well, we discussed earlier that 7 most GDN demand still buys on AdX, right? 8 A. Yeah. How they decide to bid and 9 when is up to them. That's not -- like, I 10 don't control that. 11 Q. You don't have any reason to 12 believe that all GDN demand is available on 13 every exchange, right? 14 A. I don't know what the GDN team has 15 decided in terms of where they bid. And so 16 they are a buyer, like any other buyer, and 17 they have to make independent decisions on 18 what inventory they buy and to what 19 exchanges. 20 Q. Putting aside the decisions that 21 the GDN team made, was it your understanding 22 that all GDN demand was available through 23 non-Google exchanges? 24 A. Not all exchanges. 25 Q. How about taking all the exchanges

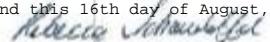
1 C. LASALA 2 together, was all GDN demand available 3 through all -- a combination of all the other 4 ad exchanges? 5 A. My understanding is, no, but I 6 don't know for sure. 7 Q. Was a majority of GDN demand even 8 available through all the other exchanges? 9 A. I don't think so. 10 Q. Okay. So if a publisher wanted 11 access to the majority of GDN demand, they 12 still had to make their inventory available 13 via AdX, correct? 14 A. Yeah, at certain -- particularly 15 early on, and then, yes. 16 Q. And to make your -- for a 17 publisher to make their inventory available 18 via AdX, they had to pay the 20 percent 19 revenue share fee? 20 A. If -- yeah, if they chose to, or 21 the negotiated fee, right. 22 Q. And Google rarely discounted that 23 20 percent AdX revenue share fee, correct? 24 A. Yes. 25 Q. Okay. Just a couple of clarifying	Page 225 1 C. LASALA 2 ongoing debate on whether we were first and 3 foremost, like, a network. So Google started 4 AdSense as a network business. It's, like, 5 very contained. Complete control over how 6 buyers bought on AdSense network. 7 And I don't know if you're 8 familiar with the AdSense network, and its 9 incarnation, but it was, sort of, a very 10 effective model that worked for advertisers 11 that had unspent demand and marketing 12 objectives and publishers that had inventory 13 that they needed to sell. Some remnant and 14 some not remnant, but a lot of remnant. 15 And then the business evolved, 16 long before -- like, I wasn't even part of 17 that business. And then I became part of the 18 business. 19 And then part of my job was to sit 20 down and we worked with publishers, broadly, 21 in its broadest term. Like, we used the term 22 "publisher," but it meant any content, 23 creative content, whether it was a video 24 content, or app content, or commerce-related 25 content, publishers of all different walks of
1 C. LASALA 2 questions on GDN. 3 GDN is owned by Google, right? 4 A. Yes. 5 Q. And AdX is owned by Google? 6 A. Yes. 7 Q. And GDN is a buyer -- 8 A. Yes. 9 Q. -- a single buyer on AdX? 10 That's a yes? 11 A. Yes. 12 Q. And GDN, though, in turn, 13 represents many advertisers, correct? 14 A. Yes. 15 Q. Okay. In the past, have you 16 predicted what would happen if GDN freely 17 bought publisher inventory on non-Google ad 18 exchanges? 19 MR. BIAL: Object to form. Lack 20 of foundation. 21 Q. You can answer. 22 A. Yeah, sure. So I have a 23 perspective that I don't know if it's 24 necessarily in the best interest of the 25 ecosystem. So I -- we have this, sort of,	Page 226 1 C. LASALA 2 life and different business. And all of a 3 sudden, we were playing in all of this space. 4 And my job was to go listen to all of our 5 sales teams in different regions and 6 different customers, types, and say, what do 7 you want? And then they would tell me. They 8 want this, they want that, and this customer 9 wants that. And we had to build this complex 10 model to meet the needs of some pretty 11 complex customers. 12 So when we sat down to say, 13 usually -- sometimes, like I said before, 14 once a year, twice a year, four times a 15 year -- what are we going to build? Are we 16 going to build this or this? 17 We didn't have, like, a really 18 good framework for making this prioritization 19 decisions. So it became tough to say, you 20 know, we build for this and we don't build 21 for this. 22 So I constantly pushed the 23 thinking of the team to say, like, what are 24 we first and foremost? Like, what are we 25 really trying to do? What's our objective?

1 C. LASALA 2 at Google, right? 3 A. Not on a regular basis. 4 Q. Ten to 15 times a year? 5 A. I don't know that I said that 6 high, but, yes, a couple of times -- a few 7 times a year. Ten-ish, whatever. 8 Q. And you were responsible for the 9 team that tracked competitive options or the 10 competitive landscape; is that right? 11 A. Yes. I was responsible for a team 12 that worked with teams that did that, the 13 go-to-market teams. Mainly were responsible 14 for understanding and having their finger on 15 the pulse of what the competitive 16 environment. They would -- go-to-market 17 teams would summarize it from AMIA and Asia, 18 and Latin America, and the U.S., and then 19 they would share it with our teams. 20 Q. So the go-to-market teams that had 21 their pulse on the competitive environment, 22 they reported to you, right? 23 A. No. 24 Q. They did not? 25 A. No.	Page 317 1 C. LASALA 2 your team because it was related to Google's 3 strategic decision-making. 4 Is that fair? 5 A. I think it's just common practice 6 to understand what your competitors are 7 doing. So it was just the best practice. 8 Q. Would you make decisions based on 9 what your competitors were doing at Google? 10 A. That wasn't really Google's MO. 11 We really made decisions based on what we 12 thought customers needed. And, like, largely 13 I think the culture of the company was not to 14 worry too much about what the customer -- 15 excuse me, what the competition was doing, 16 but build for the future, not build for the 17 past or your competition, so... 18 Q. So at least in the ordinary course 19 of business, you wouldn't look at new 20 features that competitors were launching in 21 the market? 22 A. We would look at what our 23 competitors do. And you asked if we made 24 strategic decisions solely based on what 25 competitors are doing. And it's one input
Page 318 1 C. LASALA 2 Q. The go-to-market team never 3 provided you with any kind of reports? 4 MR. BIAL: Object to form. 5 A. You asked if they reported to me. 6 They did not report to me hierarchically. 7 They shared information with my 8 team, and my team did stuff with that 9 information. So it would be an illusion 10 that, like, I was scouring through all of 11 these different competitive reports. It's 12 not consistent with my job description. 13 Q. Okay. 14 A. I was a manager. 15 Q. So the go-to-market team that was 16 responsible for having their pulse on 17 competitive market provided information about 18 the market to your team? 19 A. Correct. 20 Q. Did they also provide information 21 directly to you? 22 A. It's reasonable to think they sent 23 it to me. Whether I digested it in detail 24 is -- 25 Q. And they sent this information to	Page 319 1 C. LASALA 2 into a variety of inputs. 3 Q. Okay. But what competitors are 4 doing in the marketplace is an input in 5 strategic decision-making at Google, right? 6 A. I think that's fair. Yeah. 7 Q. And so you had some general 8 awareness of the competitive landscape when 9 making or recommending strategic decisions? 10 A. I think that's -- I think that's 11 fair. 12 Q. Okay. And as part of the 13 information you received in your role, did 14 you understand that DSP was the de facto 15 preferred ad server of choice for publishers? 16 A. I don't know that I could speak to 17 what is de facto or preferred on behalf of a 18 publisher. I can say to you that it was 19 used. Publishers signed up and liked the 20 product. 21 Q. And it was used by most 22 publishers, right? 23 A. I don't know you define "most," 24 but it was used by lots of publishers. 25 Q. Any reason to think less than 50

1 C. LASALA 2 percent of all large publishers used DFP? 3 MR. BIAL: Objection. Lack of 4 foundation. 5 A. It is, like, a definitional 6 problem. So I don't know how many publishers 7 and whether the large ones or the small ones 8 used it. 9 Q. Did you receive reports on which 10 publisher ad servers were used by large 11 publishers? 12 A. Probably. 13 Q. Based on that reporting, are you 14 aware of any publisher ad server that was 15 used more by large publishers than DFP? 16 A. I don't recall, no. 17 Q. Okay. Isn't it true that 18 90 percent of open web publishers used DFP in 19 2015? 20 MR. BIAL: Objection. Lack of 21 foundation. 22 A. I don't know what the number -- I 23 don't recall what the number is, or what an 24 open web publisher is either. I don't know 25 -- I don't even know what an open web	Page 321 1 C. LASALA 2 Yeah. That's a good description of it. 3 Q. Did Google ever try to sell 4 Google's ad tech products to Facebook for 5 advertising on Facebook? 6 A. Did we try to buy Facebook's 7 inventory? 8 Q. No, no, no. 9 Did Google ever try to sell to 10 Facebook Google's ad tech products to be used 11 to advertise on Facebook? 12 A. I'm sorry, I don't understand the 13 question. 14 Q. Yeah. 15 A. Like, rephrase it. 16 Q. Thinking of Facebook for a moment 17 as a publisher, did Google ever try to 18 convince Facebook to use Google's Ad Tech 19 tools to sell advertising on Facebook? 20 A. I don't know, actually. 21 Q. Okay. Based on the reports you 22 did receive about the competitive landscape 23 related to publisher ad servers, any reason 24 to think it's not true that 90 percent of 25 large publishers use DFP?
1 C. LASALA 2 publisher is. 3 Q. Are you familiar with the term 4 "walled garden"? 5 A. I am. 6 Q. What's "walled garden"? 7 A. A large media property that -- how 8 do I describe a walled garden? 9 Where you, essentially -- I don't 10 know. Familiar with it. Like, the best way 11 to describe it as an example. Like, we 12 consider Facebook, like, a walled garden. So 13 all of the data goes into Facebook and all of 14 the buying happens in Facebook, and then -- 15 and that's it. 16 There is no other -- there is no 17 other way to, sort of, buy the inventory. 18 Maybe that's it, there is no other way to buy 19 the inventory within Facebook. You go to 20 Facebook, it's walled garden. I think that's 21 probably the way to describe it. 22 Q. And Facebook uses its own 23 proprietary ad tech tools to sell advertising 24 on Facebook? 25 A. Right, on its Facebook property.	Page 322 1 C. LASALA 2 MR. BIAL: Object to form. 3 A. No reason to think it's not true. 4 Q. Okay. Can you think of any 5 publisher ad server today that's used by more 6 publishers than DFP? 7 A. No. 8 MR. BIAL: Objection. 9 Q. Okay. There are a number of 10 advantages that come from being the de facto 11 ad server of choice; isn't that right? 12 MR. BIAL: Objection. Objection 13 to form. 14 A. I don't know, what are the 15 advantages? 16 Q. Are there advantages to being 17 publishers' preferred ad server? 18 A. I don't know what you're -- what 19 you're getting at. 20 Q. Assuming DFP is the preferred 21 ad server of choice for 22 publishers, are there certain advantages with 23 having that market position? 24 A. Advantages to whom? 25 Q. To Google.

Page 413	Page 415
1 C. LASALA	1 C. LASALA
2 GDN win the AdX auction, or an authorized	2 MR. MADDEN: Can we take a
3 buyer wins it, you don't capture the buy-side	3 five-minute break? I'm done with --
4 margin; is that right?	4 You can put the document aside.
5 MR. BITTON: Objection to form.	5 We can go off the record.
6 A. I guess, yeah, if it's a non-DV3	6 THE VIDEOGRAPHER: The time is
7 buyer. DV3 is, like, practically not even in	7 4:54 p.m. We are off the record.
8 the mix, so they couldn't profit from it.	8 (Whereupon, at 4:54 p.m., the
9 Q. And when it's a -- not GDN that	9 Examination of this Witness was
10 wins in the AdX auction; is that right?	10 adjourned.)
11 A. A GDN --	11
12 MR. BITTON: Objection to form.	12
13 THE COURT REPORTER: Sorry, I	13
14 don't have an answer.	14
15 MR. MADDEN: I know. I'm going	15 <hr/> CHRIS LASALA
16 to rephrase.	16 Subscribed and sworn to before me
17 BY MR. MADDEN:	17 this _____ day of _____, 2023.
18 Q. GDN and DV3 are both AdX buyers,	18
19 right?	19
20 A. Yes.	20
21 Q. And there are non-Google entities	21
22 that are also authorized AdX borrowers --	22
23 A. Yes.	23
24 Q. -- buyers, right?	24
25 A. Yes.	25
Page 414	Page 416
1 C. LASALA	1
2 Q. And so when an authorized buyer --	2 E X H I B I T S
3 strike that.	3
4 If I use the term "authorized	4
5 buyer," would you understand me to mean a	5 EXHIBIT EXHIBIT PAGE
6 non-Google buyer in the AdX auction?	6 NUMBER DESCRIPTION
7 A. An authorized buyer would include	7 Exhibit 1 GOOG-AT-MDL-007344222 248
8 GDN and DV3.	8 through '4225
9 Q. Okay. So when I use the term	9 Exhibit 2 GOOG-DOJ-AT-01019463 351
10 "non-Google authorized buyer," would you	10 through '9468
11 understand me to refer to a third party	11 Exhibit 3 GOOG-DOJ-09876316 401
12 authorized buyer in the AdX auction?	12 through '6329
13 A. Yes, thank you for clarifying.	13
14 Q. Okay. So when a non-Google	14
15 authorized buyer wins the AdX auction, Google	15
16 only captures the sell-side rev share; is	16 I N D E X
17 that correct?	17
18 A. That's correct.	18 EXAMINATION BY PAGE
19	19
20	20 MR. TESLICKO 5
21 (Continued on next page to include	21 MR. MADDEN 397
22 jurat.)	22
23	23
24	24
25	25

Page 417

1
2 C E R T I F I C A T E
3
4 STATE OF NEW YORK)
5 : SS.:
6 COUNTY OF NASSAU)
7 I, REBECCA SCHAUMLOFFEL, a Notary
8 Public for and within the State of New York,
9 do hereby certify:
10 That the witness whose examination
11 is hereinbefore set forth was duly sworn and
12 that such examination is a true record of the
13 testimony given by that witness.
14 I further certify that I am not
15 related to any of the parties to this action
16 by blood or by marriage and that I am in no
17 way interested in the outcome of this matter.
18 IN WITNESS WHEREOF, I have hereunto
19 set my hand this 16th day of August, 2023.
20 
21 REBECCA SCHAUMLOFFEL
22
23
24
25

Page 418

1 ERRATA SHEET FOR THE TRANSCRIPT OF:
2 Case Name: US v. Google/In Re Google Digital Advertising
3 Antitrust Litigation
4 Dep. Date: August 16, 2023
5 Deponent: Chris LaSala
6 CORRECTIONS:
7 Pg. Ln. Now Reads Should Read Reason
8 — — _____ _____
9 — — _____ _____
10 — — _____ _____
11 — — _____ _____
12 — — _____ _____
13 — — _____ _____
14 — — _____ _____
15 — — _____ _____
16 — — _____ _____
17 — — _____ _____
18 _____
19 Signature of Deponent
20
21 SUBSCRIBED AND SWORN BEFORE ME
22 THIS ____ DAY OF _____, 2023.
23
24 _____
25 (Notary Public) MY COMMISSION EXPIRES: _____